the rules of the company expressly for the court of the court affirmed the udgment of the Court of Appeals for the Eighth Circuit, confirming the title of the Union Pacific Railroad to its right of way 100 feet wide, through what is known as the Minnesota rate law and various enactments of other States regulating rates. It was argued specially by Gov. Judson Harmon, representing the council of Governors which met at Spring Lake, N. J., last year and by resolution authorized the Governor to submit a brief unholding the right of the States to regulate commerce within their borders.

Probably the most important opinion by Justice Hughes has been in operation since Colonial days, and by so doing affirmed the judgment of the conviction of Frederick A. Hyde and the conviction of the court of Appeals in the District of Columbia, in the Conviction of Frederick A. Hyde and the rules of the company expressly for the company expressly for the cumpant of the company of the company of the company expressly for the cumpant of the cumpant of the company expressly for the cumpant of the cumpant of the cumpant of the Creuit Altonomy expressly for the Lindmon paint of the Court of Appeals in the District of Columbia, in the Convertion of Frederick A. Hyde and the rules of the company expressly for the Lindmon paint of the Court of Appeals in the District of Columbia, in the Convertion of Frederick A. Hyde and the rules of the company expressly for the Eighth Circuit, confirming the title of the Union Packers Association was interested. Packers Association was interested the Hanford conspired with Attorneys Carrand McCord of Seattle in bankruptey proceedings in 1905, in which the Alaska Packers Association was interested. Packers Association was interested. Packers Association was interested the Union Packers Association was interest

cases grew out of the alleged frauds unearthed by Francis J. Heney, special coun- lawful. sel for the Government, and William J. Burns, the detective. The two defendants, together with John A. Benson and ington on February 17, 1904. Dimond was an attorney. On the trial Berson and Dimond were acquitted. The other pealed to the Court of Appeals of the District of Columbia, where the judgments were affirmed, and then carried the mat-States.

The case before the Supreme Court turned on the question of the jurisdiction of the court of the District of Columbia. The two defendants, it was admitted, had never been in the District of Columbia until extradited and brought here to answer the indictment. Hyde was brought from California and Schneider was taken in Mexico. It was admitted that the conspiracy was formed in California, and the sole ground on which the Government based its claims that the courts in the District of Columbia had jurisdiction was that under the Federal statute defining the offence of conspiracy it is provided that wherever any overt act is committed by any one of the alleged conspirators in furtherance of the objects of

In giving his opinion Justice McKenna given a meaning to the offence of conspiracy different from that it had at conmon law. He declared that if the Government was put to the necessity of trying tariff revision legislation.

The metal revision bill was called up in the House as soon as order was called for this morning by Speaker Clark. On motion of Leader Underwood the House concerned in tirely for the reason that it was not

defendants might escape punishment entirely for the reason that it was not always possible to prove the place where the conspiracy was actually formed.

At the same time, and involving practically the same questions, the court affirmed the sentence of Frank V. Brown and E. C. Moore, who were arrested in California at the instance of the Federal, authorities in Nebraska, as alleged members of the notorious Maybray gang of fake horse race operators. These men were indicted for using the mails to defraud. Brown and Moore were charged with being decoys for the Maybray syndicate, which operated in the middle West, using the mails to easily the mails to defendants applied for a writ of habeas corpus to the Federal Court for the District of California, which was refused them, and they appealed to the United States Supreme Court, which sustained the decision of the lower court, but by the same division of opinion as was tormed in a place "unknown to the Grand Jury," and the case rested entirely on certain overt acts in furtherance of the allieged conspiracy, principally the mailing of letters in the Omaba post office.

Washington, June 10—Two bills designed to regulate the trade in habit form Jury," and the case rested entirely on certain overt acts in furtherance of the allieged conspiracy, principally the mailing of letters in the Omaba post office.

Washington, June 10—Two bills designed to regulate the trade in habit form Jury," and the case rested entirely on certain overt acts in furtherance of the allieged conspiracy, principally the mailing of these acts the federal authorities of the cardinance decount of the Carlifornia, during the duties on pig to Canadian agreement.

Washington, June 10—Two bills designed to such a contract of the Carlifornia and the decision of the letters in the Omaba post office.

Washington, June 10—Two bills designed to regulate the trade in habit form Jury, and the case rested entirely on certain overt acts in furtherance of the allienced by the proposal was defeated by a vote of 186

U. S. SUPREME COURT

TAKES SUMMER RECESS

Hands Down a Number of Important Opinions—Others

Go Over.

WILL NOT SIT UNTIL OCT. 14

Anthracite Coal Cases and the Various State Rate Cases

Undecided.

Washington, June 10—After reading a number of important opinions pendoding a session that continued nearly through the agency of intoxicants into that part of loady adjourned for the summer. It will not sit again until Monday, October 14. Some of the most important cases under advasement went over undecided. The discoveriment discovering discovering superior of the most important cases under advasement went over undecided. The discovering Government suits against the Reading Compeny and a superior country of the most open pany and the Sulpreme Court contends that by introduction of intoxicants or the manufacture of the winter state and the Sale for the summer. It will not sit again until Monday, October 14. Some of the most important cases under advasement went over undecided. The anthracite coal trust cases, three in number, representing Government suits against the Reading Compeny and various other caliroads and involving important phases of the Sherman antitutal law were put over. These cases were argued on October 10 and 11 at the other case involved a conviction of the street of the discovernment did not abdicated the former case were argued on October 10 and 11 at the other case involved a conviction of the surface of the street of the same territory of intoxicants into general part of the surface of the surfac

various other railroads and involving important phases of the Sherman antitrust law were put over. These cases were argued on October 10 and 11 at the beginning of the term.

It was rumored around the court room to-day that these cases, the termination of which Wall Street has been awaiting with keen interest for months, may be ordered reargued. The failure to act on them was accepted as evidence that the court is pretty evenly divided on the questions at issue.

Another case of far reaching importance but not so long under advisement that was postponed is the Union Pacific, the Oregon Short Lines and other Harriman lines, known as the Union Pacific merger case. This suit was brought by the Government under the Sherman law to enjoin the Union Pacific from purchasing, acquiring, holding or owning any stock in certain competing roads. It was argued late in April and occupied three days.

The various State regulation of interstate carses involved a conviction, dealed in the Fiathead fear and introducing intoxicants into the 'Indian country' included in the Fiathead reservation. The Supreme Court reversed this conviction, holding that a stock of whiskey on his person, was not within the Fiathead reservation. Who was arrested on a Union Pacific train within the Fiathead reservation. When was accepted as evidence that the court is pretty evenly divided on the questions at issue.

Another case of far reaching importance but not so long under advisement that was postponed is the Union Pacific merger case. This suit was brought by the Government under the Sherman law to enjoin the Union Pacific merger case.

This suit was brought by the Government under the Sherman law to enjoin the Union Pacific from purchasing, acquiring, holding or owning any stock in certain competing roads. It was argued late in April and occupied three days.

The various State rate cases, forty-three in number, involving a conflict between Federal and State authorities, in the matter of State regulation of interstate transportation over interstate

by the court to-day was the one in which it affirmed the judgment of the Court of Appeals in the District of Columbia, in the conviction of Frederick A. Hyde and Joost H. Schneider of conspiracy to defraud the United States out of public lands in California and Oregon. This opinion, by a divided court, construed the Federal statutes against conspiracy. The majority opinion was read by Associate Justice McKenna and concurred in by the Chief Justice and Associate Justices Day, Van Deventer and Pitney. The minority opinion, which held that the two defendants had been improperly convicted, was read by Associate Justice, holmes and concurred in by Justices Lurton, Hughes and Lamar, thus making the decision five to four.

The defendants Hyde and Schneider have fought for eight years to escape imprisonment and fine under sentences imposed on them at the trial in the Supreme prisonment and fine under sentences imposed on them at the trial in the Supreme Court of the District of Columbia. Their Commission's order, which held the ebates to be discr minatory and un-

# RECIPROCITY ACT STANDS.

Henry P. Dimond, were indicted in Wash- The House by a Vote of 144 to 101

Washington, June 10.-The House yesterday. Preachers from Long Island, to-day refused to concur in the Senate New Jersey and Hudson River counties ors of the German warships 5,000 illusamendments to the Underwood metal were present and filled the room. The trated booklets pertaining to the museums revision bill proposing the repeal of the cheering lasted several minutes at the and parks of the city were distributed Canadian reciprocity act and imposing beginning and as many more at the close. ter to the Supreme Court of the United a duty of \$2 a ton on print paper. The The Rev. J. L. Hartsock presided. Bishop measure was sent back to the Senate Neeley was not present, but at least one by the American Museum of Natural and the indications are that the Senate reference to his case was made by the will ask that the bill be referred to a con- speaker, who said the late General Conference committee representing the two ference "didn't mean to do any harm." houses. Prediction is made that if

the proposed metal revision will fail. reciprocity provision was tacked to the bill as a means of defeating the measure. They point out that the President would veto any bill proposing the repeal of the act whereby the Government indorsed Canadian reciprocity. As the House Canadian reciprocity. As the House stonary bisnops to their houses to dimer and do not permit them to go away with-position on this question they will not pass any bili providing for the repeal of Canadian reciprocity.

Stonary bisnops to their nouses to dimer and to not permit them to go away without checks in their pockets.

"People do not give money unless they are spiritual," observed the veteran observer and editor. "The last General

the conspirators, then all the conspirators embarrass the Democrats it is understood declared that the Federal statute had a repeal provision on every Democratic

tain overt acts in furtherance of the alieged conspiracy, principally the mailing of letters in the Omaha post office. Because of these acts the Federal authorities for the District of Nebraska claimed jurisdiction of the case.

Justice Hohnes in the dissent depicted to a central revenue tax of five central and conobis and a quarter of a central position of the wide meaning given to the "fiction of the productive presence" of alleged constructive presence" of alleged conspirately provides that importers and dealers in the products named shall register with the commissioners of internal revenue, that exporters shall pay a license of \$50 a year and dealers a license fee of \$10.

Tangled in Line and Drowned.

William Gehring, a floatman employed by the Eastern District Terminal Company of Denver, was shot and Control of Williamsburg in its freight yard at the float of Williamsburg in its freight yard at the float became tangled in his legs and pulled him evertoward. Before he could help him evertoward. Before he could help him evertoward. Before he could help him evertoward was probably drawn beneath the float. The body was not recovered.

citizens."
At to-morrow's meeting of the Judiciary
Committee a date will be fixed for formal
hearing of the charges against the Judge,
when witnesses can appear to support
Berger's demand for impeachment.

\$2,010 Bid for Sunken Naval Vennel Yankee.

WASHINGTON, June 10 .- The attempt of the Navy Department to sell the old naval vessel Yankee, now lying at the bottom of Buzzard's Bay, is likely to prove successful, Buzzard's Bay, is likely to prove successful, two bids having been received at the Department to-day. On condition that the bidders remove the Yankee to the deep waters of the bay W. B. Snyder of Perch Anthoy, N. J., bid \$111 for her and W. W. Wotherspoon of New York bid under the same conditions \$2,010. The Yankee was sunk on December 5, 1905, and all efforts to raise her have failed.

# DR. BUCKLEY CHEERED.

To the Rev. Dr. James M. Buckley retiring from the editorship of the New York Christian Advocate by his own desire, was given a personal ovation at the Refuses to Concur With the Senate. Methodist ministers' Monday meeting Dr. Buckley praised the incomes of

the Senate stands pat on its amendments | the women's mission boards, but added dryly that 60 per cent. of the money came Democrats charge that the Canadian from the pockets of the men of the church. He doubted the value of the Enworth League. He had examined it in many cities. The young people seem to prefer to go for walks rather than to go to church, especially evenings. Methodism is rich in families who invite the returned missionary bishops to their houses to dinner and do not permit them to go away with

Canadian reciprocity.

Accordingly the tariff situation in Congress is chaotic. In an effort to embarrass the Democrats it is understood to be the purpose of the Senate to attach a repeal provision on every Democratic tariff bill that comes from the House. Unless one house or the other recedes from its position the President will not be called on this session to pass on any tariff revision legislation.

The metal revision bill was called up in the House as soon as order was called for this morning by Speaker Clark. On motion of Leader Underwood the House as editor of the Christian Advocate.



Crowded Out of Sunday's Advertisement

# TWO-PIECE SUMMER SUITS \$13.50

Were \$16.50 and \$18.50

Continuing our demonstrations of the excellence of Macy's clothes and the low-price supremacy of our Men's Suit Department, we place on sale to-day light, cool, comfortable coat and trouser suits, at a price affording a "Typical Macy Saving."

Cravenetted English Mohairs, in Gray Stripes, Black and White Hair Line Stripes and Self Striped Blues. Wool Crashes in Plain Cambridge Grays. Tropical Worsteds in Light and Dark Shades of Gray.

Coats, quarter lined or skeleton lined. Sizes from 34 to 46, including generous assortment for stout men.

So excellent do we consider the values afforded by this sale that we have devoted the entire advertisement to it at the expense of the whole Summer stock which is demanding recognition. In justice thereto it should be noted that we have in regular stock lines, Blue Serges, at \$14.75 to \$29.75, and Fancy Sack Suits at \$18.50 to \$38.50.

# \$4.00 SHANTUNG and JAP SILK SHIRTS

In plain tan Shantungs, and pure white Jap silk. Stripes of helio, blue, corn, green, and black-and-white. Negligee models with soft double cuffs attached. Sizes 14 to 17, sleeve lengths 34 and 35 inches.

# SAMPLE SALE OF SUMMER HOSIERY

FOR MEN AND WOMEN, HAS JUST BEGUN. 100,000 Pairs, at Prices Averaging One Half Macy's Regular "Lowest-in-the-City" Prices. Cotton Lisle-Pure Thread Silk in all summer weights,



Meets close in front and 15¢ 2 for 25¢ stays so Cluett, Peabody & Co., Troy, N. Y.

GUIDE FOR GERMAN SAILORS.

The Museums, Parks and Library

Get Out a Book for Them. In compliment to the officers and sailvesterday on board the Kaiser's men of war. The booklets were issued jointly History, the Metropolitan Museum of Art, the New York Botanical Gardens, the New York Public Library and the

New York Public Library and the New York Zoological Society.
Pictures of the various buildings and parks appear in the guide book for the sailors, which also includes a map of Manhattan and of The Bronx. A number of the sailors from the German ships were piloted yesterday through the American Museum of Natural History.

# \$20,000,000 ALTON BONDS.

Directors Ask Stockholders to Approve New Financial Plan.

CHICAGO, June 10 .- The directors of the Chicago and Alton Railroad Company at their meeting to-day passed a resolution calling a meeting of the stockholders for August 19 to authorize the \$20,000,000 6 per ent, gold bonds to be secured by a general mortgage upon the property. The proceeds of the bonds will be used for general improve-ments in the roadbed and terminals to meet the increased business of the road.

# SPARKS FROM THE TELEGRAPH.

Frank Upton, a bricklayer, fell five stories and escaped with a broken finger and a slight scaip wound in Washington yester-day. The public drinking cup closed its career in Kentucky last midnight, the recently en-acted statute prohibiting its use becoming

operative. Two hundred delegates from all countries of the world to the International Congress of Navigation arrived in Cleveland, Ohio, resterday.

The arrival of Rex Gregorius, king of the carnival, and his march through the streets yesterday marked the beginning of Portland's sixth annual rose festival. John Hodkinson, 17, of Washington, wanted to see what the inside of a torpedo looked like. At the hospital it was said he would lose his sight and his right arm.

Clarence Cole, aged 9, Louis Cole, 8, and Edgar Scott, 8, of Traverse City, Mich. were drowned yesterday in Boardman Lake. They were playing on a log boom.

James Kramer, 22, shot and probably mortally wounded his sweetheart, Jennie Lochner, 16, and killed himself in the pres-ence of his mother in Chicago yesterday. Renewed earth tremors were recorded on St. Ignatius seismograph in Cleveland at 10:18 A. M. yesterday. The shocks were more violent than those on Saturday, which were traced to Alaska.

Tangled in Line and Drowned.

William Gehring, a floatman employed by the Eastern District Terminal Company of Williamsburg in its freight yard at the by the entrance of a woman into the store



note of warning!

should be a regular threepiece suit of moderate weight.

flannels.

But to shed a vest is easier

Three-piece suits, \$18 to

Two-piece suits, \$15 to \$32.

Everything men and boys wear including extra big men

Sporting Goods. Motor Wear. Golf and Tennis Togs.

Three Broadway Stores at

NEW AMSTERDAM 42d St. nr.B'way.Ev.8:10 The DE KOVEN OPEN COMPANY In THE NATION'S LIGHT OPERA Robin Hood GREAT CAST OF GRAND OPERA STARS. TIEGFELD MOULH ROUGE

WINSOME WIDOW"
75 WONDERFUL CHORUS 75 QAIETY B'way and 46th. Eve. 8:30. Matinees To-m'w & Sat. 2:30.

Another Cohan & Harris Success.
Best Farce in 20 Years. With George Nash & wattace Lucinger

Paul J. Rainey's African Hunt GLOBE B'way & 46. Eves. at 8.15. Mats. To-m'w Pop. Prices & Sat. 2:15.

[REROSEMAID Most talked about musical show since The Pink Lady."



The cool nights sound a Your first Summer suit

Add a two-piece suit if you

can-we've a host of most attractive fabrics made up that way, including some very smart batistes and Scotch

than to keep warm without one, ofttimes.

and extra small boys.

ROGERS PEET COMPANY

Warren St. 13th St. 34th St

AMUSEMENTS.

NEW YORK'S LEADING THEATRES

LYCEUM 45th St. Eve. 8:30. Mats. 25c. to

RAMMERSTEIN'S 17 BIG ACTS Daily Mats. in Theatre, 25 & 800



Men's Furnishings Pajamas, Special, at \$1.50 per pair. White and colored fabrics in Surplice Necks and Military Collars. Values \$2.50 and 2.75.

Washable Four-in-Hand Scarfs, Special at **55c.** Made from de Joinvilles in this season's newest designs and colorings. Formerly \$1.00.

Negligee Shirts, Special at \$1.50 each. In Madras and Mercerized fabrics with laundered Cuffs. Also soft French Cuffs. Formerly \$2.00.

Men's All Silk and Silk and Cotton

Shirts. Special at \$2.95 each. In a choice selection of patterns. Formerly sold at \$3.75 to 5.50. Men's Half-Hose—We offer some odd lots in French Lisle and All Silk Half-Hose, at 55c per pair, \$3.00 per half-dozen. Values \$1.00 and 1.50.

Athletic Shirts and Knee Drawers, 50c. \$1.00, 1.50 to 3.50 per garment.

Union Suits, \$1.00, 1.50, 2.00 to 4.50 per garment, in fabrics suitable for summer wear.

A complete assortment of Bathing and Swimming Suits, Belts, Bath Robes, etc.

James McCutcheon & Co., 5th Ave. & 34th St., N. Y. Waldorf-Astoria

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# = "A NATIONAL INSTITUTION" ==

CLOTHING, FURNISHINGS AND HATS FOR MEN, BOYS AND CHILDREN When You Work or

When You Play Wear Comfortable Attire

The personal appearance of the individual is receiving more and more attention. If economy is your watchword, you can practice it here in addition to getting style and quality, because we make every stitch of the Clothes we sell in

our Work-Rooms. Norfolk Suits in order to be right must be cut correctly. Our designers have produced wonderful Norfolk Suits, and we are justly proud of them....\$18.00 to \$40.00 Ideal hot weather garments in Crashes and Mohairs that hold their shape and are the coolest kind of Clothes you

can wear. \$15.00 to \$35.00 The young men receive particular attention at our hands. Our Sack Suit called the "Junior" has a style that ap-

peals to young men who appreciate snappy Clothing. \$15.00 to \$30.00 BROWNING-KING UNUSUAL FURNISHINGS

We never buy goods that are made up for "sale" purposes; therefore the character of our merchandise should not be confounded with the class of goods usually offered at 'sale" prices. Our Special Values are entirely due to our large Purchasing Power.

\$1.50 and \$2.50 Pongee Shirts \$3.50 Silk Shirts. 50c Washable Four-in-Hands Headquarters for B. V. D. Underwear 50c and up Headquarters for B. V. D. Underwear \$1.50 to \$5.00 Headquarters for Metric Shirts. \$1.5 \$1.50, \$2.00 and \$2.50 Knitted Four-in-Hands

**BROWNING-KING STRAW HATS** Thus far our sales of Straw Hats have been larger than in any previous season. Realizing that the Public are the best judges of values, you will appreciate the assort-ment we are showing. We make no extra charge for our label and you can enjoy the distinction which it will give you at no higher cost ..... \$2.00 to \$15.00

THREE NEW YORK STORES Broadway at 32nd Street-Cooper Square at 5th Street. Brooklyn: Fulton at De Kalb.

AMUSEMENTA

Mat. To-day 80c, 75c, & Best Scats \$1.00. New Summer WHIRL OF SOCIETY

STAT RE-THE PIRATES OF PENZANCE

LYRIC. 48. W. of B.y. Evs 8:15 Mai. Tom wsl 30.
JAS. FOWERS LAST WEEK
T. FOWERS TWO LITTLE BRIDES.

AST A BUTTERFLY ON WHEEL SO MAL

TAMING OF THE SHREW

Man Dally THE LION AND MOUSE

UNION SQ. Shifting class vaudenide.

BLE, BONITA & Low Hearth

THEATRE, Bway Bert, Fitzglbbon, Class

& Histrel 1023stuy, Ahearn Troupe, furnham &

Aft. 2:15, Eves. 8:15, Greenwood, & 5 life Acts.

BUNTY PULLS THE STRINGS

BROADWAY Thea., Men. Night

PLAYHOUSE Even S:10.



Worth \$6.00 Low Heel, Flat Toe, Blind Eyelets and That Hand-Finished Look. \$4.00 & \$5.00 Low Shoes at \$2.49 Emerson and Stetson's Factory Rejects Very slight imperfections. Tan, Black Calf and Patent Leather.

AMUSEMENTS.

The Complete Olympic Team First, last and only appearance in the United States under the auspices of the Daily News-papers of New York, PROCEEDS TO GO TO THE AMERICAN OLYMPIC FUND AND THE NEWSBOYS' HOME CLUB.

Wednesday, June 12, AMERICAN LEAGUE PARK.

HORINS. & Broadway, at 4 P. M.
HORINE.

BELLAH.

GUTTERSON.

GUTTE

See the pick of America's athletes in a pro-gramme of 14 EVENTS, embracing sprinting hurding, distance runs, pole vaulting and weight

FINAL AMERICAN APPEARANCE OF UNCLE SAM'S COMBINED OLYMPIC STRENGTH.

Nutlen to departing athletes forty hours before they sail on the Finland for Stockholm.

BRIGHTON Halph Herz, Wish Wanne, Wile Holt Wakefield, ton-roy & Lematre, Bower, Cross & Brighton Beach Josephine, and 6 other state. LUNA NEW ELECTRIC

COLONIAL EVATANGUAY ALHAMBRA MABEL HITE Channe Daily Mat. 25c. and 9 other feature act

They sail on the riniand for Stockholm.

Admission 50 and 75 cents.

Vanderblit & Moore, Vanderblit & Moore, Worton & Moore & oths.

Morton & Moore & oths.

Worton & Moore & oths.